

Notice of Allowability

Application No.

09/317,746

Examiner

Isaac M. Woo

Applicant(s)

STEWART ET AL.

Art Unit

2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to response filed on 9/16/2005.
2. ☒ The allowed claim(s) is/are 1, 3, 5-9, 11-14, 18, 20-21, 23 and 27-34.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

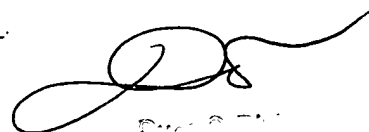
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☒ to Paper No./Mail Date 5/24/1999.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Date: 9/16/05
Print Name: Isaac M. Woo

DETAILED ACTION

1. This office action is in response to the Appeal Brief filed on September 16, 2005.
2. In view of the Appeal Brief filed on September 16, 2005 and response to conference decision, PROSECUTION is hereby reopened.
3. Claims 2, 4, 10, 15-17, 19, 22 and 24-26 are canceled. Claims 1, 3, 5-9, 11-14, 18, 20-21, 23 and 27-34 are presented for this office action.

Drawing

4. The drawings filed on May 24, 1999 are acceptable subject to correction of the informalities indicated on the attached "Notice of Draftperson's Patent Drawing Review," PTO-948. In order to avoid abandonment of this application, corrected formal drawing is required in reply to the Office action. The correction will not be held in abeyance.

Allowable Subject Matter

5. Claims 1, 3, 5-9, 11-14, 18, 20-21, 23 and 27-34 are allowed.

Reason For Indicating Allowable Subject Matter

6. The following is a statement of reasons for the indication of allowable subject matter: Claims 1, 18, 27-29 and 31-32 identify distinct features. The closest prior art, Dulman (U.S. Patent No. 5,802,146) discloses, receiving a network management request, assigning a priority value to the received network management request and scheduling the network management request. The prior art does not address for the priority value assigned by the managed element dependent upon a user identifier in a network management wrapper included in the request, the user identifier identifying the user of an application from which the request was sent. Dulman fails to suggest the claimed limitation as mentioned above in combination with other limitations of the dependent and independent claims. The claims 1, 3, 5-9, 11-14, 18, 20-21, 23 and 27-34 are hereby allowed.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M. Woo whose telephone number is (571) 272-4043. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IMW
December 7, 2005



Isaac M. Woo
Patent Examiner
Art Unit 2166